



U.S. Department of
Transportation

Office of the Secretary
of Transportation

**DOCUMENTARY SERVICE
DIVISION**
Washington, D.C. 20590

96-36

**Weekly Summary of Orders and
Regulations**

AUGUST 26 - AUGUST 30, 1996

Order	Docket	Summary	Date Action Taken
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(#) Published in the Federal Register.

96-8-26	48381 48388 49018	<p>IN THE MATTER OF THE CANCELLATION OF THE INTERSTATE AND FOREIGN CERTIFICATE ISSUED TO CAPITOL AIR EXPRESS, INC. IN ACCORDANCE WITH SECTION 204.7 OF THE DEPARTMENT'S REGULATIONS: The Department cancels the certificates of public convenience and necessity issued by Order 93-2-39 and 94-10-21 to Capitol Air Express, Inc., authorizing it to conduct interstate air transportation. Served 8-27-96</p>	8-21-96
96-8-27	OST-96-1555 OST-96-1487 OST-96-1479 OST-96-1474 OST-96-1405 OST-95-263	<p>APPLICATIONS OF VARIOUS FOREIGN AIR CARRIERS FOR EXEMPTIONS OR AUTHORITIES UNDER 49 U.S.C. SECTION 40109 AND THE ORDERS AND REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION: The Department confirms the actions described in the attached Notices of Action Taken, which granted certain foreign air carriers (1) exemptions from the provisions of sections 41301, and where necessary 41504, and/or other sections of Title 49 of the U.S. Code; and/or (2) relief or authorizations provided for under regulations or orders of the Department, to the applicants to perform the operations</p>	8-21-96

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described in the attached Notices of Action Taken.

Served 8/27/96

Intervening number appeared on a previous summary.

96-8-29	OST-96-1629 37392	<p>TRANSATLANTIC, TRANSPACIFIC AND LATIN AMERICAN SERVICE MAIL RATES INVESTIGATION: The Department sets final the international service mail rates for the period July 1 through December 31, 1996. The final rates shall also apply as temporary rates beginning January 1, 1997, until further order of the Department. Served 8-29-96</p>	8-23-96
96-8-30	OST-96-1577	<p>NINETY-DAY NOTICE OF INTENT OF WINGS WEST AIRLINES, INC., D/B/A AMERICAN EAGLE TO TERMINATE SERVICE AT INYOKERN, CALIFORNIA, UNDER 49 U.S.C. 41734 AND 14 CFR PART 323: The Department takes no action to prohibit Wings West Airlines, Inc., d/b/a American Eagle, from suspending service at Inyokern, California, as of November 1, 1996; Relies on Mesa Airlines, Inc., d/b/a United Express, to provide essential air service at Inyokern, California. Served 8-29-96</p>	8-23-96
96-8-31	OST-96-1559 48733	<p>ESSENTIAL AIR SERVICE AT CAPE GIRARDEAU/SIKESTON, MISSOURI UNDER 49 U.S.C. 41731 ET SEQ.: The Department tentatively reselects Trans States Airlines, Inc., d/b/a Trans World Express (Trans States), to provide subsidized essential air service at Cape</p>	8-23-96

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Girardeau/Sikeston (Cape Girardeau),
Missouri, for the two-year period beginning
May 1, 1996, through April 30, 1998, at the
annual subsidy rate of \$108,120, and request
continued.....

96-8-31	OST-96-1559 48733	continued..... objections or competing proposals from other interested carriers by September 18, 1996. Served 8-29-96	8-23-96
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96-8-32	OST-96-1529 OST-96-1589	The Department approves and grants antitrust immunity to the IATA agreements contained in Dockets OST-96-1529 and OST-96-1589, as set forth in finding paragraphs one and two to this order, subject, where applicable, to conditions previously imposed, relating to TC31 fares. Served 8-29-96	8-23-96
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96-8-33	OST-96-1478 R-1 - R-9	The Department approves and grants antitrust immunity to the IATA agreements contained in Docket OST-96-1478, as set forth in finding paragraph two this order, subject, where applicable, to conditions previously imposed, relating to composite cargo resolutions. Served 8-29-96	8-23-96
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96-8-34	OST-96-1592 OST-96-1272	IN THE MATTER OF U.S.-POLAND THIRD COUNTRY CODE-SHARE OPPORTUNITIES AND APPLICATION OF NORTHWEST AIRLINES, INC. FOR AN EXEMPTION PURSUANT TO 49 U.S.C. SECTION 40109 (U.S.-WARSAW, POLAND): The Department makes final the designation of Northwest Airlines, Inc., and United Air Lines, Inc., to serve Warsaw, and the allocation of seven weekly frequencies to each carrier to conduct their service under code-share arrangements with third-country	8-23-96
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carriers.
Served 8-29-96

96-8-35	OST-95-764	<p>HONG KONG FIFTH-FREEDOM ALL-CARGO PROCEEDING: The Department makes final its tentative finding and conclusions in Order 96-7-36, frequencies selects Air Micronesia, Inc. for three frequencies to serve the Hong Kong-Manila market (with one frequency converted into two for a total of four frequencies) and Federal Express Corp. for five frequencies to serve the Hong Kong-Subic Bay (Philippines) market. Served 8-29-96</p> <p>Intervening numbers have not been released .</p>	
96-8-40	OST-96-1663	<p>APPLICATION OF PAN AMERICAN AIRWAYS, INC. FOR AN EXEMPTION FROM 49 U.S.C. 41101(A)(1) AND A WAIVER OF 14 CFR 201.5: The Department denies the application of Pan American Airways, Inc., for an exemption from 49 U.S.C. 41101(a) and for a waiver of the pre-sale provisions of 14 CFR 201.5. Served 8-28-96</p>	8-28-96
96-8-41	OST-96-1104	<p>U.S.-LIMA COMBINATION SERVICE PROCEEDING (1996) PHASE TWO: The Department makes final the allocation to American Airlines, Inc., of 3.5 weekly frequencies effective November 1, 1996, for nonstop service in the Dallas/Ft. Worth,</p>	8-28-96

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Texas-Lima, Peru market.
Served 9-4-96

96-8-42	OST-96-1500	COMPLAINT OF NORTHWEST AIRLINES, INC. AGAINST THE GOVERNMENT OF JAPAN UNDER 49 U.S.C. SECTION 41310: OST-96-1500 The Department extends through October 1, 1996, the deadline for taking action on the complaint of Northwest Airlines, Inc., in Docket OST-96-1500. Served 9-4-96	8-29-96
96-8-43	OST-96-1366	1996 U.S.-JAPAN ALL-CARGO SERVICE PROCEEDING: The Department tentatively grants the application of Polar Air Cargo, Inc. to conduct scheduled all-cargo service between the U.S. and Japan and beyond to one point; Tentatively chooses Evergreen International Airlines, Inc. as the backup carrier. Served 9-5-96 Intervening numbers have not been released.	8-29-96
96-8-47	OST-96-1075	APPLICATION OF PRO AIR, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER 49 U.S.C. 41102 TO ENGAGE IN INTERSTATE SCHEDULED PASSENGER AIR TRANSPORTATION: The Department finds that Pro Air, Inc., is fit, willing, and able to engage in interstate	8-30-96

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scheduled passenger air transportation;
Issues a certificate of public convenience
and necessity to Pro Air, Inc., to engage in
interstate scheduled passenger air
transportation in the form and subject to the
Terms, Conditions, and Limitations attached
to this order.
Served 8-30-96

ORDERS NOT RELEASED AS OF
AUGUST 30, 1996:
96-8-36, 96-8-37, 96-8-38, 96-8-39